

02-52



THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

DOCKET FILE C

June 11, 2002

William F. Caton, Acting Secretary
Federal Communications Commission
445 12th St. SW
Washington DC 20554

Dear Mr. Caton,

I am writing to urge the commission to reconsider its decision to classify cable modem service as an information service, not subject to the 5 percent franchise fee permitted in 47 U.S.C S542(b).

The City of Newton, Massachusetts has designated a 4% franchise fee on cable services be paid to the Newton Communications Access Center, Inc. (NCAC), on gross revenues from all cable services, including cable modem service. As of March 15, 2002 NCAC has begun to lose a significant portion of revenues as a result of the elimination of the fee.

I believe this ruling will have a negative effect on NewTV, Newton's local community cable station which acts as an invaluable community resource. NewTV educates and informs our constituents on important local and governmental affairs, as well serving as an outlet for their concerns.

The Board of Directors has already been forced to curtail some programs and activities, including their conversion to digital technologies, and expansion into web-based technologies. Some basic functions have had to be scaled back as well.

I believe this would be this would a loss to our community and urge you to reconsider. Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth B. Balser".

Ruth B. Balser
State Representative

A handwritten signature in black ink, appearing to read "Cynthia S. Creem".

Cynthia S. Creem
State Senator

A handwritten signature in black ink, appearing to read "Kay Khan".

Kay Khan
State Representative

A handwritten signature in black ink, appearing to read "Peter Koutoujian".

Peter Koutoujian
State Representative

Cc:

Qualex International, Portals II
445 12th Street, S.W.,
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Washington, D.C., 20554

Sarah Whitesell
Cable Services Bureau
445 12th Street, S.W., 3-C488
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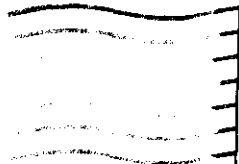
Paul D. Berg
Executive Director
Newton Communication Access Center, Inc.
90 Lincoln Street
PO Box 610192
Newton, MA 02461-0192

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

RUTH B. BALSER
STATE REPRESENTATIVE
11TH MIDDLESEX DISTRICT

Linda Senecal



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JUN 28 2002
FCC - MAILROOM

Linda Senecal
Cable Services Bureau
445 12th Street, S.W., 2-C438,
Washington, D.C. 20554

